

PLANNING BOARD STAFF REPORT

DATE: June 13, 2011

TO: HONORABLE PRESIDENT AND MEMBERS OF THE
PLANNING BOARD

FROM: Simone Wolter, Planner
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APPLICATION: **PLN11-0064 – Taeyong Lee – 1241 Park Street.** The applicant seeks approval for the sale of alcoholic beverages. This Use Permit is required in order to reinstate licensing with the California Department of Alcoholic Beverage Control. Pursuant to AMC 30-4.9.A.c.II a.

ZONING DISTRICT: C-C-T, Community Commercial Theatre District

GENERAL PLAN: Community Commercial

BACKGROUND

The applicant submitted a Use Permit application on March 20, 2011 seeking approval of a permit to add the sale of beer and wine for off-site consumption to their existing grocery store use. A Use Permit is required pursuant to AMC 30-4.9.A.c.II a. Should the Planning Board approve the Use Permit, then the applicant will seek approval from the California Alcoholic Beverage Control Department to operate under a Type 20 – Off-sale beer and wine license.

STAFF ANALYSIS

The existing Market is located at 1241 Park Street. The grocery and retail store is located within the CCT Zoning District, which allows grocery stores, (retail stores) stores, by right. This grocery store operates with limited business hours (9 am – 6 pm) that are shorter than what is permitted in the CCT Zoning district.

Although the business is changing owners, it has operated in this location for decades. The previous owner received a Use Permit in 1989 for the sale of alcoholic beverages from the Planning Board. However, this Use Permit lapsed in 2005, when the type 20 license became inactive. Because the use for which the Use Permit had been granted was not in use for longer than a year, the Use Permit became void.

The retail space is approximately 950 square feet including retail shelf area, counters, coolers, and storage space. As shown on the site plan (Attachment 2), the business owner will dedicate a small portion of the retail area to the sale of alcoholic beverages.

The building was built in 1911. The property is not located within the Historic Park Street Commercial District. There are no active code enforcement action or police service call records on this property or business owner.

Metered parking is available on Park Street. On-street parking is also available on San Antonio Avenue.

FINDINGS

1. The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.

As conditioned, this use will comply with all state and local regulations regarding the selling of beer and wine. No exterior changes to the building are part of this application. No adverse operational impact is anticipated as a result of this action as the business owner and the site have no record of police action.

2. The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.

This permit does not generate the need for additional parking.

3. The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.

The use of this property will remain as a grocery store. No deleterious effects are anticipated as a result of adding beer and wine sales as an ancillary use.

4. The proposed use relates favorably to the General Plan.

Continuation of a retail business at this location is consistent with General Plan Policy 2.5.a, which calls for providing enough retail and service space to enable Alameda to realize its full retail sales potential. In addition, the increase in foot traffic and a occupied storefront will improve the street ambiance on Park Street North of Lincoln Avenue.

ENVIRONMENTAL REVIEW

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA guideline section 15301 – Existing Facilities.

PUBLIC NOTICE

A notice for this hearing was mailed to property owners and residents within 300 feet of this site, published in the Alameda Journal and posted at the subject property. Staff received one comment. While the commenter supported the retail business uses on Park Street and the sale of alcoholic beverages for off-site consumption for this business in particular, the commenter was also concerned about an over-concentration of venues offering alcoholic beverages. Upon further discussion, it became evident that bar uses in the immediate neighborhood were the concern of this particular property owner, not off premise sale of beer and wine.

RECOMMENDATION

Approve a Use Permit, PLN11-0064, to allow the sale of beer and wine for off-site consumption and find the project Categorically Exempt from CEQA.

RESPECTFULLY SUBMITTED BY:

REVIEWED BY:

SIMONE WOLTER
PLANNER

MARGARET KAVANAUGH-LYNCH
PLANNING SERVICES MANAGER

Attachment(s):

1. Draft Resolution
2. Site Plan
3. ABC Licensing Summary
4. Public Comment Letter